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8 **UNITED STATES DISTRICT COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 ALLEN BERNARD SHAY,

11 *Plaintiff,*

12 vs.

13  
14  
15 COUNTY OF LOS ANGELES, and  
16 DEPUTY CHRISTOPHER DERRY

CASE NO.: CV15-4607 CAS (RAOx)

Complaint Filed: June 23, 2015

**[PROPOSED] JUDGMENT**

**Trial:**

**Date:** November 12, 2019

**Time:** 9:30 a.m.

17  
18 1. This case came on regularly for trial on November 12, 2019 to  
19 November 18, 2019 in Department 8D of this Court, the Honorable Christina A.  
20 Snyder presiding; the Plaintiff Allen B. Shay ("Plaintiff") appearing by Attorneys  
21 John Burton and Matthew Sahak from THE LAW OFFICES OF JOHN BURTON,  
22 and Defendants County of Los Angeles, et.al. ("Defendants") appearing by  
23 Attorneys Rickey Ivie and Antonio K. Kizzie from IVIE, MCNEILL, WYATT,  
24 PURCELL, & DIGGS, APLC.

25 2. A jury of 8 persons was regularly impaneled and placed under oath.  
26 Witnesses were placed under oath and testified. After hearing the evidence and  
27 arguments of counsel, the jury was duly instructed by the Court and the cause was  
28 submitted to the jury with directions to return a verdict on special issues. The jury

1 deliberated and thereafter returned into Court with its special verdict consisting of  
2 the special issues submitted to the jury, each member was polled as to their vote,  
3 and the answers given thereto by the jury, which said verdict was in words and  
4 figures as follows, to wit:

5 “WE, THE JURY in the above-entitled action, unanimously find as follows on the  
6 questions submitted to us:

7 QUESTION # 1

8 Did Plaintiff Allen Shay prove by a preponderance of the evidence that  
9 Defendant Detective Christopher Derry violated Plaintiff’s rights by executing a bail-  
10 hold declaration with deliberate indifference or reckless disregard for Plaintiff’s  
11 rights or the truth?

12 Answer: Yes \_\_\_\_\_ No X \_\_\_\_\_

13 If you answered “YES” to Question # 1, please answer Question # 2. If you  
14 answered “NO,” STOP here, answer no further questions, have your presiding juror  
15 date and sign the verdict and inform the bailiff of your decision.

16 QUESTION # 2

17 Did Plaintiff prove by a preponderance of the evidence that Mr. Shay’s rights  
18 would not have been violated but for Detective Derry signing the § 1275.1 bail hold  
19 declaration with deliberate indifference to, or reckless disregard for, Mr. Shay’s  
20 rights, or the truth?

21 Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

22 If you answered “YES” to Question # 2, please answer Question # 3. If you  
23 answered “NO,” STOP here, answer no further questions, have your presiding juror  
24 date and sign the verdict and inform the bailiff of your decision.

25 ///

26 ///

1 QUESTION #3

2 Has Plaintiff proven by a preponderance of the evidence that Defendant  
3 Detective Christopher Derry acted with malice, oppression or reckless disregard of  
4 Plaintiff's rights?

5 Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

6 *Please proceed to Question # 4.*

7 QUESTION NO. 4

8  
9 Has Plaintiff proven by a preponderance of the evidence that Defendant  
10 Detective Christopher Derry violated Plaintiff's constitutional rights by executing a  
11 bail-hold declaration with deliberate indifference or reckless disregard for  
12 Plaintiff's rights pursuant to an widespread or longstanding practice or custom of the  
13 defendant Los Angeles County?

14 Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

15 If you answered "YES" to Question # 4, please answer Question # 5. If you  
16 answered "NO," please answer Question #6.

17 QUESTION # 5

18 Did Plaintiff prove by a preponderance of the evidence that Defendant Los  
19 Angeles County's unconstitutional widespread or longstanding practice or custom  
20 was the moving force in causing the injuries now claimed by Plaintiff?

21 Answer: Yes \_\_\_\_\_ No \_\_\_\_\_

22 If you answered "YES" to Question # 2, please answer Question # 6. If you  
23 answered "NO" to Question # 2, STOP here, answer no further questions, have your  
24 presiding juror date and sign the verdict and inform the bailiff of your decision.

25 QUESTION NO. 6

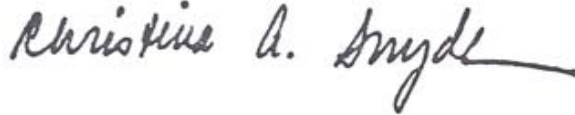
26 What is the amount of damages proven by a preponderance of the evidence  
27 by Plaintiff Allen Shay?  
28

1) Past and future non-economic losses \$ \_\_\_\_\_

*Please date and sign below, and return this form to the Court. Thank you.*

It appears by reason of said special verdict that Defendants COUNTY OF LOS ANGELES, et.al. are entitled to judgment against the plaintiff ALLEN B. SHAY.

Now, therefore, it is **ORDERED, ADJUDGED, AND DECREED** that said Plaintiff ALLEN B. SHAY shall recover nothing by reason of the complaint. Each side shall bear its own attorneys' fees and costs.



Dated: November 20, 2019

**THE HONORABLE CHRISTINA A. SNYDER**  
**UNITED STATES DISTRICT JUDGE**